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# **Communist Labor Party**

## **Men Guilty:**

### **Jury Finds Oster, Frye, and Hurst**

### **Guilty of Criminal Syndicalism**

### **and Recommends Leniency;**

### **Law Fixes Sentence 1 to 10 Years**

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Karl W. Oster, Claud Hurst, and Fred W. Fry, members of the Communist Labor Party, were found guilty of violating the state criminal syndicalism act, under a jury verdict returned at 11 o'clock this morning [March 20, 1920].

Penalty for the crime is an indeterminate prison sentence from 1 to 10 years. Judge Robert C. Morrow announced that he would pass sentence March 25.

The verdict of the jury was tempered with an appeal to the judge for leniency. The 12 men deliberated on the question for 14 hours, retiring at 3:45 Friday afternoon [March 19, 1920].

#### **Verdict Far Reaching.**

The conviction is a severe indictment against the Communist Labor Party, inasmuch as it was freely admitted by attorneys for both sides that the sole question to be decided was whether or not the party advocated the overthrow of the United States government by force and violence.

Oster and Hurst, who have been at liberty during the trial, were returned to jail in lieu of \$1,000 bail. Fry, who furnished \$500 bail each for the state and the immigration department, was allowed to go free temporarily.

W.W. U'Ren, attorney for the men, announced his intention of appealing the case as soon as the verdict was read. Circuit Judge Morrow set April 15 as the final date for filing motion for a new trial, and May 5 for filing a bill of exceptions.

First intimation that the jury had reached a decision after its long debating came about 10:30 when the numerous followers of the convicted Reds began flocking slowly into the courtroom.

Numerous deputy sheriffs also drifted into the vicinity of the courtroom.

### **Verdicts Are Read.**

The accused, who had spent the morning pacing up and down the courthouse corridors, took their accustomed places at the attorney's table.

The courtroom was death quiet when the 12 men filed in from the adjoining jury room, and Richard Martin, Jr., Portland architect and foreman of the jury, handed the three separate verdicts to the clerk of the court.

The verdicts were delivered by the clerk to the judge who glanced at them, and handed them back to the presiding clerk to read. The clerk spoke as follows:

"We, the jury duly empaneled in the case of the state against Karl W. Oster, charged with violating the criminal syndicalism act, find the defendant guilty as charged.

"To the Honorable Judge Morrow: We, the jury, recommend leniency for the defendant."

Identical verdicts were read for the other two defendants.

### **Court Room Orderly.**

Demonstrations were noticeably absent from the crowded courtroom. Oster's face set a trifle more than it was before, while U'Ren whispered the verdict to Fry, who is extremely deaf.

After a few court formalities, the judge declared the case finished and dismissed the jury.

Oster and Hurst swept past District Attorney Evans and Deputy District Attorney Bernard, who conducted the prosecution, throwing them only an ugly look.

Fry, however, went up to Bernard and extended his hand.

“I don’t have any hard feelings about this,” he declared. “You only done your duty and I don’t want you to think that I hold it against you.”

In the rear of the courtroom Oster and Hurst were received with outstretched hands. They embraced the multitude and were finally escorted upstairs.

### **Fry Departs, Alone.**

Fry was evidently ostracized for his friendliness with the district attorney, however, and he wandered from the room alone and un-greeted. In the corridor as he was about to leave the building, one man came up to him and spoke.

A little “color” was added to the proceedings by the numerous red neckties, hats, and coats exhibited in the courtroom. Oster, formerly State Secretary of the party and most glib of the defendants, was the sole one to wear his flaming red scarf at the verdict. Fry stuck by his light blue necktie, while Hurst wore one of noticeably subdued hue.

*Edited by Tim Davenport*

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